

**DEPARTMENT OF HEALTH**  
**DIVISION OF MEDICAL QUALITY ASSURANCE**  
**Bureau of Operations, Licensure Services-Profiling Section**  
**Summary Narrative**

Berto Lopez, ME 50399

Date Action Taken:

April 22, 2004

Allegation:

Allegations of a violation of Section 458.331(1)(t), F.S. by failing to practice medicine with that level of care, skill and treatment which is recognized by a reasonably similar physician as being acceptable under similar conditions and circumstances in one or more of the following ways: failed to perform a complete evacuation of patient's uterus; failed to provide the appropriate follow up care to patient following her D&C, in that he did not further investigate the pathology report which showed no fetal tissue identified; and/or failed to proved appropriate care following patient's spontaneously expelling the fetal tissue in that he did not recommend a repeat D&C.

Action:

Pursuant to a consent agreement with licensee, the following was imposed: reprimand; \$10,000 fine; assessed costs in the amount of \$3,310.19; shall not in the future violate Chapters 456, 458, and 893; completion of medical record keeping course sponsored by the Florida Medical Association in addition to five hours of CME in obstetrical complications or obstetrical surgery; 200 hours community service; shall submit a practice plan to be approved by the Board's Probation Committee; 15 hours of Continuing Medical Education (CME) in Risk Management, Ethics, and/or Medical Record Keeping.